

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**ORIENTAL TRADING COMPANY,  
INC., a Delaware Corporation,**

**Plaintiff,**

**vs.**

**AMERICAN SAFETY INDEMNITY  
COMPANY, an Oklahoma  
Corporation,**

**Defendant.**

**CASE NO. 8:08CV327**

**ORDER AND  
FINAL JUDGMENT**

This matter is before the Court on the parties' Unopposed Stipulation for Dismissal with Prejudice and to Set Aside Judgment (Filing No. 130). The parties have reached a settlement agreement, and ask the Court, pursuant Federal Rule of Civil Procedure 41, to dismiss the case with prejudice, and pursuant to Rule 60(b), to vacate the following:

1. The Memorandum and Order regarding Summary Judgment entered on July 2, 2010 (Filing No. 89);
2. The Memorandum and Order regarding Summary Judgment entered on September 17, 2010 (Filing No. 102);
3. The final Judgment entered on September 17, 2010 (Filing No. 103); and
4. The Memorandum and Order regarding attorney's fees entered on January 5, 2011 (Filing No. 120).

The stipulation complies with the requirements of Rule 41(a)(1)(A)(ii), and the Court concludes that it should be approved. The requested Orders and Judgment are vacated. The parties will bear their own costs and attorney's fees. Accordingly,

**IT IS ORDERED:**

1. The parties' Unopposed Stipulation for Dismissal with Prejudice (Filing No. 130) is approved;
2. This action is dismissed with prejudice;

3. Filing Nos. 89, 102, 103, and 120 are vacated; and
4. The parties will pay their own costs and attorney's fees.

Dated this 16<sup>th</sup> day of September, 2011.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge